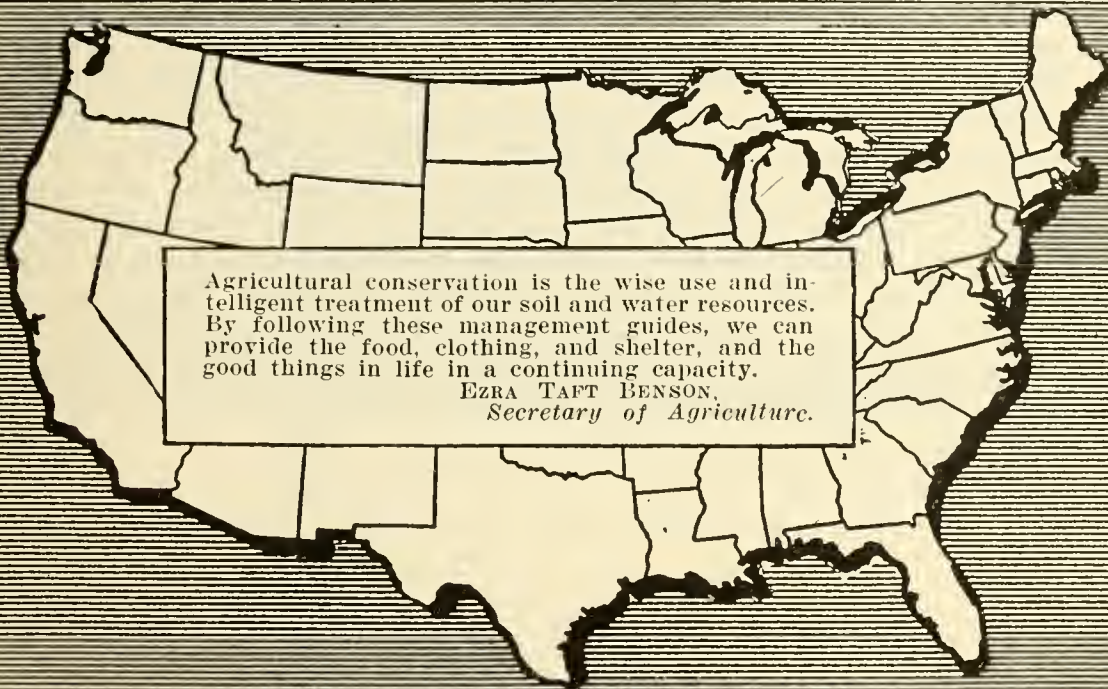


A 90.8: N 21/957

Agricultural Conservation Program

1957

National Bulletin

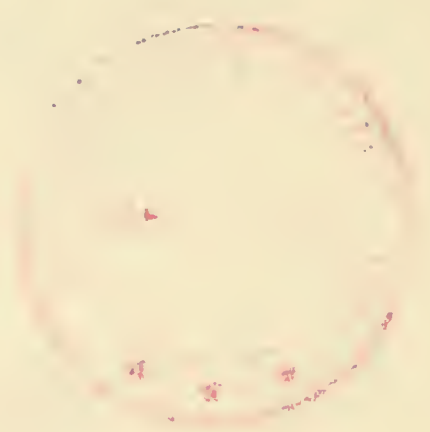


Agricultural conservation is the wise use and intelligent treatment of our soil and water resources. By following these management guides, we can provide the food, clothing, and shelter, and the good things in life in a continuing capacity.

EZRA TAFT BENSON,
Secretary of Agriculture.

U. S. DEPARTMENT OF AGRICULTURE

Agricultural Conservation Program Service



FOREWORD

Our agricultural resources produce about two-thirds of the raw materials on which our national economy is based. As our Nation grows, an expanding economy and the raw materials essential to it become ever increasingly important to the welfare of every citizen.

Through the Agricultural Conservation Program, all the people of the Nation share in the cost of protecting the most vital of our natural resources—our farm and ranch lands. This program is one of the many forms of public assistance essential to this protection. Research, education, technical services, and cost-sharing all are designed to help preserve or restore the physical characteristics of our agricultural lands so that a stable agriculture will be assured. The need for achievements beyond those which come just from wise use of the land for crop production is very great. Full utilization of the 1957 Agricultural Conservation Program should be made in every county in the Nation.

CONTENTS

	<i>Page</i>
Sec. 1. GENERAL PROGRAM PRINCIPLES.....	1
Sec. 2. DISTRIBUTION OF FUNDS	
A. State funds.....	2
B. County funds.....	2
Sec. 3. STATE AND COUNTY AGRICULTURAL CONSERVATION PROGRAMS	
A. Agencies to participate in development of State programs.....	2
B. Agencies to participate in development of county programs.....	2
C. Selection of practices.....	3
D. Adaptation of practices.....	3
E. Practice specifications.....	3
F. Use of liming materials and commercial fertilizers.....	4
G. Responsibility for technical phases of practices.....	4
H. Rates of cost-sharing.....	5
I. Items of cost on which rates of cost-sharing may be based.....	6
J. State handbooks, bulletins, instructions, and forms.....	6
Sec. 4. APPROVAL OF CONSERVATION PRACTICES ON INDIVIDUAL FARMS OR RANCHES	
A. Opportunity for requesting cost-sharing.....	6
B. Prior request for cost-sharing.....	6
C. Method and extent of approval.....	6
D. Initial establishment or installation of practices.....	7
E. Repair, upkeep, and maintenance of practices.....	7
F. Pooling agreements.....	7
Sec. 5. PRACTICE COMPLETION REQUIREMENTS	
A. Completion of practices.....	7
B. Practices substantially completed during program year.....	7
C. Practices requiring more than one program year for completion.....	8
D. Practices involving the establishment or improvement of vegetative cover.....	8
E. Failure to meet minimum requirements.....	8
Sec. 6. FEDERAL COST-SHARES	
A. Conservation materials and services.....	8
B. Practices carried out with State or Federal aid.....	9
C. Division of Federal cost-shares.....	10
D. Increase in small Federal cost-shares.....	10
E. Maximum Federal cost-share limitation.....	11
F. Persons eligible to file application for payment of Federal cost-shares.....	11
G. Time and manner of filing application and required information.....	11
H. Appeals.....	12
Sec. 7. GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING	
A. Compliance with regulatory measures.....	13
B. Maintenance of practices.....	13
C. Practices defeating purposes of programs.....	13
D. Depriving others of Federal cost-share.....	13
E. Filing of false claims.....	13
F. Misuse of purchase orders.....	13
G. Federal cost-shares not subject to claims.....	14
H. Assignments.....	14

Sec. 8. DEFINITIONS.....	Page 14
Sec. 9. AUTHORITY AVAILABILITY OF FUNDS, AND APPLICABILITY	
A. Authority.....	15
B. Availability of funds.....	15
C. Applicability.....	15
Sec. 10. CONSERVATION PRACTICES	
Conservation Practices with Enduring Benefits—where properly applied and maintained	
A. Practices primarily for establishment of permanent pro- tective cover.....	16
B. Practices primarily for improvement and protection of established vegetative cover.....	17
C. Practices primarily for the conservation and disposal of water.....	19
Conservation Practices with Benefits of Limited Dura- tion—generally requiring periodic repetition	
D. Practices primarily for establishing temporary protective vegetative cover.....	21
E. Practices primarily for the temporary protection of soil from wind and water erosion.....	22
Conservation Practices with Limited Area Applicability	
F. Practices to meet special county conservation needs.....	23

1957 NATIONAL AGRICULTURAL CONSERVATION PROGRAM BULLETIN

Through the 1957 Agricultural Conservation Program (referred to herein as the "1957 program") administered by the Department of Agriculture, the Federal Government will share with farmers and ranchers in the continental United States the cost of carrying out approved soil and water conservation practices in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made.

Information with respect to the several practices for which costs will be shared when carried out on a particular farm or ranch, and the exact specifications and rates of cost-sharing for such practices, may be obtained from the county committee for the county in which the farm or ranch is located or from the State committee.

Section 1—GENERAL PROGRAM PRINCIPLES

The 1957 National Agricultural Conservation Program has been developed and is to be carried out on the basis of the following general principles:

1. The national program contains broad authorities to help meet the varied soil and water conservation problems of the Nation. State and county committees and participating agencies shall design a program for each State and county. Such programs should include any additional limitations and restrictions necessary for the maximum conservation accomplishment in the area. The programs should be confined to the soil and water conservation practices on which Federal cost-sharing is most needed in order to achieve the maximum conservation benefit in the State or county.

2. The State and county programs should be designed to encourage those soil and water conservation practices which provide the most enduring conservation benefits practicably attainable in 1957 on the lands where they are to be applied.

3. Costs will be shared with a farmer or rancher only on satisfactorily performed soil and water conservation practices for which Federal cost-sharing was requested by the farmer or rancher before the conservation work was begun.

4. Costs should be shared only on soil and water conservation practices which it is believed farmers or ranchers would not carry out to the needed extent without program assistance. In no event should costs be shared on practices except those which are over and above those farmers or ranchers would be compelled to perform in order to secure a crop.

5. The rates of cost-sharing in a county or State are to be the minimum required to result in substantially increased performance of

needed soil and water conservation practices within the limits prescribed in the national program.

6. The purpose of the program is to help achieve additional conservation on land now in agricultural production rather than to bring more land into agricultural production. The program is not applicable to the development of new or additional farmland as a result of drainage. Such of the available funds that cannot be wisely utilized for this purpose will be returned to the public treasury.

7. If the Federal Government shares the cost of the initial application of soil and water conservation practices which farmers and ranchers otherwise would not perform but which are essential to sound soil and water conservation, the farmers and ranchers should assume responsibility for the upkeep and maintenance of those practices through their life span. The State and county programs shall specify the life span of eligible practices.

Section 2—DISTRIBUTION OF FUNDS

A. State funds.—Funds available for conservation practices will be distributed among States on the basis of conservation needs, but the proportion allocated for use in any State shall not be reduced more than 15 percent from its proportionate 1956 distribution.

B. County funds.—The State committee will allocate the funds available for conservation practices among the counties within the State, taking into consideration, to the extent practicable, the conservation needs in the counties within the State.

Section 3—STATE AND COUNTY AGRICULTURAL CONSERVATION PROGRAMS

A. Agencies to participate in development of State programs.—A State agricultural conservation program (referred to herein as "State program") shall be developed in each State in accordance with the provisions contained in this bulletin and such modifications thereof as may hereafter be made. The program shall be developed by the State committee (including the State Director of Extension), the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State. The President of the Land-Grant College and the State Director of the Farmers Home Administration shall be invited to designate representatives to counsel with the group in the formulation of the State program. The chairman of the State committee shall invite representatives of the State Soil Conservation Committee (Board or Commission), the State Agricultural Extension Service, and other State and Federal agricultural agencies to participate in its deliberations on the State program.

The program for the State shall be that recommended by the State committee, the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State, and approved by the Administrator, ACPS.

B. Agencies to participate in development of county programs.—A county agricultural conservation program (referred to herein as "county program") shall be developed in each county in accordance with the provisions of the State program and such modifications

thereof as may be made. The county committee with the community comitteenen, the designated representative of the Soil Conservation Service in the county with the governing body of the Soil Conservation District, and the Federal Forest Service representative having jurisdiction of farm forestry in the comnty with the farm forestry representatives of the State, working with the County Agricultural Extension Agent for the county (if he is not included in the foregoing group as ex officio member of the county committee) and the County Supervisor of the Farmers Home Administration, shall develop recommendations for the county program.

The program for the county then shall be formulated by the county committee, the local Soil Conservation Service technician, and the Forest Service representative having jurisdiction of farm forestry in the county, in consultation with the governing body of the Soil Conservation District on the overall conservation problems in the county and, especially, on the work plans of the Soil Conservation District and of the Federal agencies involved to assure the most effective use of the available technical assistance and funds for cost-sharing. The program as formulated shall be recommended to the State committee for approval by the State committee, the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State, and upon such approval shall become the 1957 program for the county. The program recommendation shall be signed by the chairman of the county committee, the Soil Conservation Service technician, and the Forest Service representative where present in the county, and shall state that the program was developed in consultation with the governing body of the Soil Conservation District.

C. Selection of practices.—Practices to be included in the State program or in the county program shall be only those practices for which cost-sharing is essential to permit accomplishment of needed conservation work which would not otherwise be carried out in the desired volume.

D. Adaptation of practices.—The practices included in the State program must meet all conditions and requirements of the national program. Additional conditions and requirements may be included where necessary for effective use in meeting the conservation problems in the State.

The practices included in the county program must meet all conditions and requirements of the State program. Provisions shall be made in the State program for the adaptation of practices in the county program for effective use in meeting the conservation problems in the county, consistent with recognized performance standards and program policies and requirements.

E. Practice specifications.—Minimum specifications which practices must meet to be eligible for Federal cost-sharing shall be set forth in the State handbook or in the county program, or be incorporated therein by specific reference to a standard publication or other written document containing such specifications.

For practices involving the establishment or improvement of vegetative cover, the specifications shall include, where applicable, liming, fertilization, and seeding rates, eligible seeds and mixtures, seeding dates, requirements for cultural operations and inoculation, and other steps essential to the successful establishment or improvement of the

vegetative cover. The needed liming materials, rock phosphate, and gypsum may be applied under practice A-4 or under a practice which includes all of the measures essential to the successful establishment or improvement of the vegetative cover. For mechanical or construction type practices, the specifications shall include, where applicable, the types and sizes of material, installation or construction requirements, and other steps essential to the proper functioning of the structure. For other practices, the specifications shall include those steps essential to the successful performance of the practice.

Practice specifications shall provide minimum performance requirements which will qualify the practice for cost-sharing and, where applicable, may also provide maximum limits of performance which will be eligible for cost-sharing. The minimum performance requirements established for a practice shall represent those levels of performance which are necessary to assure a satisfactory practice. The maximum limits of performance for cost-sharing established for a practice shall represent those levels of performance which are needed in order for the practice to be most effective in meeting the conservation problem and which are not in excess of levels for which cost-sharing can be justified.

F. Use of liming materials and commercial fertilizers.—For practices which authorize Federal cost-sharing for applications of liming materials and commercial fertilizers, the minimum application, and maximum application where applicable, on which cost-sharing is authorized shall, in each case, be determined on the basis of a current soil test; provided, however, that if the State committee determines that available facilities are not adequate to permit the desired use of these practices under the program, it shall authorize, to the extent necessary, an alternative basis for determination by the county committee of such applications. Such alternative basis shall be such as to insure beneficial use of Federal cost-sharing approved and shall be formulated by the State committee in full consultation with the representatives of the State and Federal agencies participating in the development of the State program.

The application of liming materials contained in commercial fertilizers, rock phosphate, or basic slag will not qualify for Federal cost-sharing. The application of manure will not qualify for Federal cost-sharing; however, manure may be used, where applicable, to meet all or a part of the fertilizer requirement for a practice.

G. Responsibility for technical phases of practices.—The Soil Conservation Service is responsible for the technical phases of practices B-7, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, and C-16. This responsibility shall include (1) a finding that the practice is needed and practicable on the farm, (2) necessary site selection, other preliminary work, and layout work of the practice, (3) necessary supervision of the installation, and (4) certification of performance. For practice C-1, the Soil Conservation Service is responsible (1) for determining that the practice is needed and practicable on the farm, and (2) for necessary site selection, other preliminary work, and layout work of the practice. For practices B-6, B-8, and C-3, the Soil Conservation Service is responsible for determining that the practice is needed and practicable on the farm. In addition, upon agreement of the State committee and the State Conservationist of the Soil Conservation Service, responsibility for

all or part of the unassigned technical phases of these or other practices may be assigned to the Soil Conservation Service for all counties in the State or for specified counties. The State Conservationist of the Soil Conservation Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities. These assigned responsibilities will not apply in counties with respect to which the Administrator, ACPS, and the Administrator, SCS, agree that it would not be administratively practicable for the Soil Conservation Service to discharge these responsibilities. In such counties, these responsibilities shall be assumed by the county committees.

The Forest Service is responsible for the technical phases of practices A-7 and B-10. This responsibility shall include (1) providing necessary specialized technical assistance, (2) development of specifications for forestry practices, and (3) working through State and county committees, determining performance in meeting these specifications. The Forest Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities.

H. Rates of cost-sharing.—The maximum Federal cost-share for each practice shall be the percentage of the average cost of performing the practice considered necessary to obtain the needed performance of the practice, but which will be such that the farmer or rancher will make a substantial contribution to the cost of performing the practice. Rates of cost-sharing shall not be in excess of 50 percent of the average cost of performing the practices, except that:

- (1) For practices A-5, A-6, A-7, B-10, C-1, C-2, C-4, C-5, C-6, C-7, and C-16, which have long lasting conservation benefits and from which the returns to the farmer or rancher are remote, the State committee, the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State may establish rates of cost-sharing in excess of 50 percent of the average cost of performing the practices.
- (2) Upon justification by the State committee, the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State, and approval of the Administrator, ACPS, rates of cost-sharing in excess of 50 percent of the average cost of performing the practices may be established for other practices having long lasting conservation benefits and from which the returns to the farmer or rancher are remote.
- (3) Upon justification by the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the State and county levels, the Administrator, ACPS, may approve a rate of cost-sharing for one or more additional practices in a county in excess of 50 percent of the average cost of performing the practice, but only if the increased rate of cost-sharing is essential to introduce a greatly needed new conservation practice into the county or to bring about a greatly needed increase in the extent to which the practice otherwise would be carried out.

For the purpose of establishing rates of cost-sharing, the average cost of performing a practice may be the average cost for a State,

a county, a part of a county, or a farm or ranch, as determined by the State committee.

The rates of cost-sharing for practices included in the county program may be lower than the rates approved for general use in the State.

I. Items of cost on which rates of cost-sharing may be based.—Except as otherwise provided by the wording of the practices contained in section 10 or elsewhere in the 1957 program, the cost of any direct and significant factor in the performance of a practice may be considered in establishing the rate of cost-sharing for the practice.

J. State handbooks, bulletins, instructions, and forms.—The Administrator, ACPS, is authorized to prepare and issue State handbooks, bulletins, instructions, and forms required in administering the 1957 program. Copies of State handbooks, bulletins, instructions, and forms containing detailed information with respect to the 1957 program as it applies to specific States, counties, areas, and farms and ranches will be available in the office of the State committee and the office of the county committee. Persons wishing to participate in the program should obtain from the State committee or county committee all information needed in order to comply with all provisions of the program.

Section 4—APPROVAL OF CONSERVATION PRACTICES ON INDIVIDUAL FARMS OR RANCHES

A. Opportunity for requesting cost-sharing.—Each farm or ranch operator shall be given an opportunity to request that the Federal Government share in the cost of those practices on which he considers he needs such assistance in order to permit their performance in adequate volume on his farm or ranch. The county committee, taking into consideration the farmer's or rancher's request and any conservation plan developed by the farmer or rancher with the assistance of any State or Federal agency, shall direct the available funds for cost-sharing to those farms and ranches and to those practices where cost-sharing is considered most essential to the accomplishment of the basic conservation objective of the Department—the use of each acre of agricultural land within its capabilities and the treatment of each acre in accordance with its needs for protection and improvement.

B. Prior request for cost-sharing.—Costs will be shared only for those practices, or components of practices, for which cost-sharing is requested by the farm or ranch operator before performance thereof is started, except that for practices E-3 and F-3, the Administrator, ACPS, may authorize the acceptance of requests for cost-sharing filed within a reasonable period after performance thereof is started, such period to be stated in the practice wording. For practices for which (1) approval was given under the 1956 Agricultural Conservation Program, (2) performance was started but not completed during the 1956 program year, and (3) the county committee believes the extension of the approval to the 1957 program is justified under the 1957 program regulations and provisions, the filing of the request for cost-sharing under the 1956 program may be regarded as meeting the requirement of the 1957 program that a request for cost-sharing be filed before performance of the practice is started.

C. Method and extent of approval.—The county committee, in accordance with a method approved by the State committee, will deter-

mine the extent to which Federal funds will be made available to share the cost of each approved practice on each farm or ranch, taking into consideration the county allocation, the conservation problems in the county and of the individual farm or ranch, and the conservation work for which requested Federal cost-sharing is considered by the county committee as most needed in 1957. The method approved shall provide for the issuance of notices of approval showing for each approved practice the number of units of the practice for which the Federal Government will share in the cost and the amount of the Federal cost-share for the performance of that number of units of the practice. To the extent practicable, notices of approved practices shall be issued before performance of the practices is started.

D. Initial establishment or installation of practices.—Federal cost-sharing may be authorized under the 1957 program only for the initial establishment or installation of the practices contained in section 10. The initial establishment or installation of a practice, for the purposes of the 1957 program, shall be deemed to include the replacement, enlargement, or restoration of practices for which cost-sharing has been allowed, if all of the following conditions exist:

- (1) Replacement, enlargement, or restoration of the practice is needed to meet the conservation problem.
- (2) The failure of the original practice was not due to the lack of proper maintenance by the current operator.
- (3) The county committee believes that the replacement, enlargement, or restoration of the practice merits consideration under the program to an equal extent with other practices for which cost-sharing has not been allowed under a previous program.

E. Repair, upkeep, and maintenance of practices.—Federal cost-sharing is not authorized for repairs or for normal upkeep or maintenance of any practice.

F. Pooling agreements.—Farmers or ranchers in any local area may agree in writing, with the approval of the county committee, to perform designated amounts of practices which, by conserving or improving the agricultural resources of the community, will solve a mutual conservation problem on the farms of the participants. For purposes of eligibility for cost-sharing, practices carried out under such an approved written agreement will be regarded as having been carried out on the farms or ranches of the persons who performed the practices.

Section 5—PRACTICE COMPLETION REQUIREMENTS

A. Completion of practices.—Federal cost-sharing for the practices contained in section 10 is conditioned upon the performance of the practices in accordance with all applicable specifications and program provisions. Except as provided in sections 5-B, 5-C, and 5-D, practices must be completed during the program year in order to be eligible for cost-sharing.

B. Practices substantially completed during program year.—Approved practices may be deemed, for purposes of payment of cost-shares, to have been carried out during the 1957 program year, if the county committee determines that they are substantially completed by the end of the program year. However, no cost-shares for such practices shall be paid until they have been completed in accordance with all applicable specifications and program provisions.

C. Practices requiring more than one program year for completion.—Cost-sharing may be approved under the 1957 program for a component of a practice completed during the program year in accordance with all applicable specifications and program provisions, provided:

- (1) The farmer or rancher agrees in writing to complete all remaining components of the practice in accordance with all applicable specifications and program provisions within the time prescribed by the county committee, if cost-sharing is offered to him therefor under a subsequent program; and
- (2) The county committee determines that under the circumstances prevailing on the farm in 1957, completion of that component is a reasonable attainment in 1957 toward the ultimate completion of all components of the practice.

Any advance cost-share so paid shall be refunded if the remaining components of the practice are not completed in accordance with all specifications and program provisions within the time prescribed by the county committee, provided the farmer or rancher is offered cost-sharing under a subsequent program for completing such components. The extension of the period for completion of the remaining components of the practice will not constitute a commitment to approve cost-sharing therefor under a subsequent program. Approval of cost-sharing for other practices under subsequent programs may be denied until the remaining components are completed.

D. Practices involving the establishment or improvement of vegetative cover.—Costs for practices involving the establishment or improvement of vegetative cover may be shared even though a good stand is not established, if the county committee determines, in accordance with standards approved by the State committee, that the practice was carried out in a manner which would normally result in the establishment of a good stand, and that failure to establish a good stand was due to weather or other conditions beyond the control of the farm or ranch operator. The county committee may require as a condition of cost-sharing in such cases that the area be reseeded or that other needed protective measures be carried out. Cost-sharing in such cases may be approved also for repeat applications of measures previously carried out or for additional eligible measures. Cost-sharing for such measures shall be approved to the extent such measures are needed to assure a good stand even though less than that required by the applicable practice wording for initial approvals.

E. Failure to meet minimum requirements.—Notwithstanding other provisions of the 1957 program, costs may be shared for practices treating with the establishment or improvement of vegetative cover for the performance actually rendered even though the minimum requirements with regard to the rate of seeding or the application of liming materials or commercial fertilizers are not met, if the farmer or rancher establishes to the satisfaction of the county committee and the State committee or its designee (1) that he made every reasonable effort to meet the minimum requirements, and (2) that the practice as performed adequately meets the conservation problem.

Section 6—FEDERAL COST-SHARES

A. Conservation materials and services.—(1) *Availability.*—Part or all of the Federal cost-share for an approved practice may be in

the form of conservation materials or services furnished through the program for use in carrying out the practice. Materials or services may not be furnished to persons who are indebted to the Federal Government, as indicated by the register of indebtedness maintained in the office of the county committee, except in those cases where the agency to which the debt is owed waives its rights to setoff in order to permit the furnishing of materials and services.

Title to any material furnished through the program shall vest in the Federal Government until the material is applied or planted, or all charges for the material are satisfied.

(2) *Cost to farmer or rancher.*—The farmer or rancher will pay that part of the cost of the material or service, as established under instructions issued by the Administrator, ACPS, which is in excess of the Federal cost-share attributable to the use of the material or service or, upon request by the farmer or rancher and approval by the county committee, the farmer or rancher will pay that part of the cost of the material or service which is in excess of the farmer's or rancher's Federal cost-share for all components of the practice which will likely be completed during the program year. The Federal cost-share increase on the amount of the Federal cost-share so determined may be advanced as a credit against that part of the cost of the material or service required to be paid by the farmer or rancher.

(3) *Discharge of responsibility for materials and services.*—The person to whom a material or service is furnished under the 1957 program will be relieved of responsibility for the material or service upon determination by the county committee that the material or service was used for the purpose for which it was furnished and that any other components of the practice, on which the amount of the Federal cost-share advance toward the cost of the material or service was determined, have been carried out in accordance with all applicable specifications and program provisions. If the person uses any material or service for any purpose other than that for which it was furnished, he shall be indebted to the Federal Government for that part of the cost of the material or service borne by the Federal Government and shall pay such amount to the Treasurer of the United States direct or by withholdings from Federal cost-shares otherwise due him under the program.

Any person to whom materials are furnished shall be responsible to the Federal Government for any damage to the materials, unless he shows that the damage was caused by circumstances beyond his control. If materials are abandoned or not used during the program year, they may, in accordance with instructions issued by the Administrator, ACPS, be transferred to another person or otherwise disposed of at the expense of the person who abandoned or failed to use the material, or be retained by the person for use in a subsequent program year.

B. Practices carried out with State or Federal aid.—The total extent of any practice performed shall be reduced for the purpose of computing cost-shares by the percentage of the total cost of the items of performance on which costs are shared which the county committee determines was furnished by a State or Federal agency. Materials or services furnished through the program, materials or services furnished by any agency of a State to another agency of the same State, or materials or services furnished or used by a State or Federal

agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this subsection.

C. Division of Federal cost-shares.—(1) *Federal cost-shares.*—The Federal cost-share attributable to the use of conservation materials or services shall be credited to the person to whom the materials or services are furnished. Other Federal cost-shares shall be credited to the person who carried out the practices by which such other Federal cost-shares are earned. If more than one person contributed to the carrying out of such practices, the Federal cost-share shall be divided among such persons in the proportion that the county committee determines they contributed to the carrying out of the practices. In making this determination, the county committee shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying out of each practice on a particular acreage, and shall assume that each contributed equally unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion. The furnishing of land or the right to use water will not be considered as a contribution to the carrying out of any practice.

(2) *Death, incompetency, or disappearance.*—In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended.

D. Increase in small Federal cost-shares.—The sum of the Federal cost-shares computed for any person with respect to any farm or ranch under the Agricultural Conservation Program and the Naval Stores Conservation Program shall be increased as follows; provided, however, that in the event legislation is enacted which repeals or amends the authority for making such increases, the Secretary may, in such manner and at such time as is consistent with such legislation, discontinue such increases:

- (1) Any Federal cost-share amounting to \$0.71 or less shall be increased to \$1.
- (2) Any Federal cost-share amounting to more than \$0.71, but less than \$1, shall be increased by 40 percent.

(3) Any Federal cost-share amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of cost-share computed	Increase in cost-share	Amount of cost-share computed	Increase in cost-share	Amount of cost-share computed	Increase in cost-share
\$1 to \$1.99----	\$0. 40	\$22 to \$22.99---	\$8. 40	\$43 to \$43.99---	\$12. 30
\$2 to \$2.99-----	. 80	\$23 to \$23.99---	8. 60	\$44 to \$44.99---	12. 40
\$3 to \$3.99-----	1. 20	\$24 to \$24.99---	8. 80	\$45 to \$45.99---	12. 50
\$4 to \$4.99-----	1. 60	\$25 to \$25.99---	9. 00	\$46 to \$46.99---	12. 60
\$5 to \$5.99-----	2. 00	\$26 to \$26.99---	9. 20	\$47 to \$47.99---	12. 70
\$6 to \$6.99-----	2. 40	\$27 to \$27.99---	9. 40	\$48 to \$48.99---	12. 80
\$7 to \$7.99-----	2. 80	\$28 to \$28.99---	9. 60	\$49 to \$49.99---	12. 90
\$8 to \$8.99-----	3. 20	\$29 to \$29.99---	9. 80	\$50 to \$50.99---	13. 00
\$9 to \$9.99-----	3. 60	\$30 to \$30.99---	10. 00	\$51 to \$51.99---	13. 10
\$10 to \$10.99---	4. 00	\$31 to \$31.99---	10. 20	\$52 to \$52.99---	13. 20
\$11 to \$11.99---	4. 40	\$32 to \$32.99---	10. 40	\$53 to \$53.99---	13. 30
\$12 to \$12.99---	4. 80	\$33 to \$33.99---	10. 60	\$54 to \$54.99---	13. 40
\$13 to \$13.99---	5. 20	\$34 to \$34.99---	10. 80	\$55 to \$55.99---	13. 50
\$14 to \$14.99---	5. 60	\$35 to \$35.99---	11. 00	\$56 to \$56.99---	13. 60
\$15 to \$15.99---	6. 00	\$36 to \$36.99---	11. 20	\$57 to \$57.99---	13. 70
\$16 to \$16.99---	6. 40	\$37 to \$37.99---	11. 40	\$58 to \$58.99---	13. 80
\$17 to \$17.99---	6. 80	\$38 to \$38.99---	11. 60	\$59 to \$59.99---	13. 90
\$18 to \$18.99---	7. 20	\$39 to \$39.99---	11. 80	\$60 to \$185.99--	14. 00
\$19 to \$19.99---	7. 60	\$40 to \$40.99---	12. 00	\$186 to \$199.99	(1)
\$20 to \$20.99---	8. 00	\$41 to \$41.99---	12. 10	\$200 and over--	(2)
\$21 to \$21.99---	8. 20	\$42 to \$42.99---	12. 20		

¹ Increase to \$200.

² No increase.

E. Maximum Federal cost-share limitation.—The total of all Federal cost-shares under the 1957 program to any person with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands) for approved practices which are not carried out under pooling agreements shall not exceed the sum of \$1,500, and for all approved practices, including those carried out under pooling agreements, shall not exceed the sum of \$10,000.

All or any part of any Federal cost-share which otherwise would be due any person under the 1957 program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, designed to evade, or which has the effect of evading, the provisions of this subsection.

F. Persons eligible to file application for payment of Federal cost-shares.—Any person who, as landlord, tenant, or sharecropper on a farm or ranch, bore a part of the cost of an approved conservation practice is eligible to file an application for payment of the Federal cost-share due him.

G. Time and manner of filing application and required information.—It shall be the responsibility of persons participating in the program to submit to the county office forms and information needed to establish the extent of the performance of approved conservation practices and compliance with applicable program provisions. Time limits with regard to the submission of such forms and information shall be established where necessary for efficient administration of the program. Such time limits shall afford a full and fair opportunity to those eligi-

ble to file the forms or information within the period prescribed. At least 2 weeks' notice to the public shall be given of any general time limit prescribed. Such notice shall be given by mailing notice to the office of each county committee and making copies available to the press. Other means of notification, including radio announcements and individual notices to persons affected, shall be used to the extent practicable. Notice of time limits which are applicable to individual persons, such as time limits for reporting performance of approved practices, shall be issued in writing to the persons affected. Exceptions to time limits may be made in cases where failure to submit required forms and information within the applicable time limits is due to reasons beyond the control of the farmer or rancher.

Payment of Federal cost-shares will be made only upon application submitted on the prescribed form to the county office by December 31, 1958, or such earlier date as is prescribed by the Administrator, ACPS. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the county office within the applicable time limit.

H. Appeals.—Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee or State committee in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his Federal cost-shares with respect to the farm or ranch. The county committee or State committee shall notify him of its decision in writing within 15 days after receipt of written request for reconsideration. If the person is dissatisfied with the decision of the county committee, he may, within 15 days after the decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the State committee, he may, within 15 days after its decision is forwarded to or made available to him, request the Administrator, ACPS, to review the decision of the State committee. The decision of the Administrator, ACPS, shall be final. Written notice of any decision rendered under this subsection by the county or State committee shall also be issued to each other landlord, tenant, or sharecropper on the farm or ranch who may be adversely affected by the decision.

Appeals considered under this subsection shall be decided in accordance with the provisions of this program and of the applicable State and county programs on the basis of the facts of the individual case; provided that the Secretary, upon the recommendation of the Administrator, ACPS, and the State and county committees, may waive the requirements of any such provision, where not prohibited by statute, if, in his judgment, such waiver under all the circumstances is justified to permit a proper disposition of an appeal where the farmer, in reasonable reliance on any instruction or commitment of any member, employee, or representative of a State or county committee, in good faith performed an eligible conservation practice and such performance reasonably accomplished the purpose of the practice.

Section 7—GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

A. Compliance with regulatory measures.—Persons who carry out conservation practices under the 1957 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The person with whom the cost of the practice is shared shall be responsible to the Federal Government for any losses it may sustain because he infringes on the rights of others or fails to comply with applicable laws or regulations.

B. Maintenance of practices.—The sharing of costs, by the Federal Government, for the performance of approved conservation practices on any farm or ranch under the 1957 program will be subject to the condition that the person with whom the costs are shared will maintain such practices throughout their normal life span in accordance with good farming practices as long as the land on which they are carried out is under his control.

C. Practices defeating purposes of programs.—If the county committee finds, with the concurrence of the State committee, that any person has adopted or participated in any practice which tends to defeat the purposes of the 1957 or any previous program, including, but not limited to, failure to maintain, in accordance with good farming practices, practices carried out under a previous program, it may withhold, or require to be refunded, all or any part of the Federal cost-share which otherwise would be due him under the 1957 program.

D. Depriving others of Federal cost-share.—If the State committee finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of the Federal cost-share due that person under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the Federal cost-share which otherwise would be due him under the 1957 program.

E. Filing of false claims.—If the State committee finds that any person has knowingly filed claim for payment of the Federal cost-share under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible for any Federal cost-share under the 1957 program and shall refund all amounts that may have been paid to him under the 1957 program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

F. Misuse of purchase orders.—If the State committee finds that any person has knowingly used a purchase order issued to him for conservation materials or services for a purpose other than that for which it was issued, and that such misuse of the purchase order tends to defeat the purpose for which it was issued, such person shall not be eligible for any Federal cost-share under the 1957 program and shall refund all amounts that may have been paid to him under the 1957 program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

G. Federal cost-shares not subject to claims.—Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances (except as provided in the following subsection, and except for indebtedness to the United States subject to setoff under orders issued by the Secretary); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

H. Assignments.—Any person who may be entitled to any Federal cost-share under the 1957 program may assign his right thereto, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1957, including the carrying out of soil and water conservation practices. No assignment will be recognized unless it is made in writing on Form ACP-69 and in accordance with the instructions in ACP-6.

Section 8—DEFINITIONS

For the purposes of the 1957 program:

(a) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(b) "Administrator, ACPS," means the Administrator of the Agricultural Conservation Program Service.

(c) "State" means any one of the continental United States.

(d) "State committee" means the persons in the State designated by the Secretary as the Agricultural Stabilization and Conservation State committee.

(e) "County" means parish or county.

(f) "County committee" means the persons elected within a county as the county committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(g) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise, or other legal entity (and, wherever applicable, a State, a political subdivision of a State, or any agency thereof) that, as landlord, tenant, or sharecropper, participates in the operation of a farm or ranch.

(h) "Farm" or "ranch" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the Administrator, ACPS, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops, and with work stock, machinery, and labor substantially separate from that for any other land; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm or ranch, constitutes a unit with respect to the rotation of crops.

Notwithstanding any limitation in this definition concerning the type or use of land, a farm may include or may consist entirely of woodland which is being operated for the production and sale of forest products.

A farm or ranch shall be regarded as located in the county in which the principal dwelling is situated or, if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm or ranch is located.

(i) "Cropland" means farmland which in 1956 was tilled or was in regular crop rotation, including also land which was established in permanent vegetative cover, other than trees, since 1953 and which was classified as cropland at the time of seeding, but excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes, or will constitute if tillage is continued, an erosion hazard to the community.

(j) "Program year" means the period, designated in the State handbook, during which conservation practices, or components thereof, must be carried out to be eligible for cost-sharing. The program year may begin on or after July 1, 1956, and end not later than December 31, 1957.

Section 9—AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority.—The program contained in this bulletin is based upon, and is subject to, the provisions of the 1957 National Agricultural Conservation Program, approved by the Assistant Secretary of Agriculture on July 2, 1956 (21 F. R. 5034), pursuant to the authority vested in him under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148, 16 U. S. C. 590g-590q), and the Department of Agriculture and Farm Credit Administration Appropriation Act, 1957, and is contingent upon legislative authority to the Secretary to exercise after December 31, 1956, the powers now conferred on him by section 8 of the act.

B. Availability of funds.—The provisions of the 1957 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares provided herein is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation.

The funds provided for the 1957 program will not be available for paying Federal cost-shares for which applications are filed in the county office after December 31, 1958.

C. Applicability.—The provisions of the 1957 program contained herein are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) noncropland owned by the United States which was acquired or reserved for conservation purposes, or which is to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act) or the Fish and Wildlife Service of the United States

Department of the Interior, except as indicated in item (7) below; (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it; and (4) farms outside the continental United States.

The program is applicable to (1) privately owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Federal Farm Mortgage Corporation, the United States Department of Defense, or by any other Government agency designated by the Administrator, ACPS; (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it; (6) Indian lands, except that where grazing operations are carried out on Indian lands administered by the Department of the Interior, such lands are within the scope of the program only if covered by a written agreement approved by the Department of the Interior giving the operator an interest in the grazing and forage growing on the land and a right to occupy the land in order to carry out the grazing operations; and (7) noncropland owned by the United States for performance by private persons of conservation practices which directly conserve or benefit nearby or adjoining privately owned lands of such persons who maintain and use such federally owned noncropland under agreement with the Federal agency having jurisdiction thereof.

Section 10—CONSERVATION PRACTICES

Practices for which the Soil Conservation Service is responsible for all or part of the technical phases are marked with an asterisk (*).

CONSERVATION PRACTICES WITH ENDURING BENEFITS— where properly applied and maintained

A. Practices Primarily for Establishment of Permanent Protective Cover

A-1. Initial establishment of a permanent vegetative cover in orchards and vineyards for control of erosion.—Volunteer stands and acreages cut for hay are not eligible for cost-sharing.

A-2. Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment.—This practice is applicable only to land which should be established in permanent vegetative cover for protection against wind or water erosion, and to cropland which, as a part of a needed land-use adjustment, is being shifted to permanent protective vegetative cover other than as a part of a regular crop rotation. This practice is not applicable to land occupied by a merchantable stand of timber or pulpwood, or to land which, if cleared, would be suitable for continued production of cultivated crops. Federal cost-sharing may be approved for constructing fences where fences are necessary to protect the seeded area and only for the extent necessary to fence that area. Federal cost-sharing for fences shall be limited to permanent fences, excluding boundary and road fences.

A-3. Establishment of additional acreages of vegetative cover in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity.—This practice is applicable only to land which needs such cover to retard erosion or to improve soil structure, permeability, or water-holding capacity. Federal cost-sharing will be limited to that acreage which the county committee determines represents a desirable increase over what would be the normal plantings of eligible crops on the farm in 1957 under the normal crop rotation for the farm. In making this determination, consideration should be given to the need for this practice on cropland which the farmer or rancher intends to divert from the production of crops for which allotments are established for the farm for 1957.

A-4. Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection.—This practice is applicable only to farmland devoted in 1957 to legumes (other than vegetable or truck crops, soybeans, mungbeans, and peanuts) or perennial grasses, and to farmland which the county committee determines will be devoted to such eligible uses in 1958. Federal cost-sharing will be limited to the application of liming materials, rock phosphate, and gypsum.

A-5. Initial establishment of contour stripcropping to protect soil from wind or water erosion.—All cultural operations must be performed as nearly as practicable on the contour. The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out, on acreage devoted to row crops. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective contour stripcropping system.

A-6. Initial establishment of field stripcropping to protect soil from wind or water erosion.—The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out, on acreage devoted to row crops.

A-7. Initial establishment of a stand of trees or shrubs on farmland for erosion control, watershed protection, or forestry purposes.—No Federal cost-sharing will be allowed for planting orchard trees, or for plantings for ornamental purposes. If shrubs are used, those that benefit wildlife should be given preference wherever practicable. Plantings must be protected from fire and grazing. Federal cost-sharing may be authorized for clearing land occupied largely by scrubby brush of no economic value to permit planting of desirable tree species. Technical assistance must be utilized to determine the suitability of the land for clearing and the measures necessary to prevent erosion. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the planted area from grazing, excluding boundary and road fences.

B. Practices Primarily for Improvement and Protection of Established Vegetative Cover

B-1. Improvement of an established vegetative cover for soil or watershed protection.—This practice is applicable only to land in

permanent vegetative cover which needs more than normal maintenance measures in order to provide adequate soil or watershed protection. The improvement measures approved for cost-sharing shall be those which will extend materially the life of the vegetative cover. Federal cost-sharing may not be approved for normal maintenance measures such as annual topdressings with fertilizer or other mineral elements. This practice is not applicable to land on which the needed improvement measures will constitute complete reestablishment of the vegetative cover.

B-2. Improvement of vegetative cover on rangeland by artificial re-seeding for soil protection.—No Federal cost-sharing will be allowed if it is determined that the area seeded is grazed before the stand is well established.

B-3. Controlling competitive shrubs to permit growth of adequate desirable vegetative cover for soil protection on range or pasture land.—On areas where it is determined that the control of competitive shrubs will reduce the vegetative cover to such an extent as to induce erosion, the practice will not be approved unless followed by seeding or other approved erosion control measures.

B-4. Furrowing, chiseling, ripping, scarifying, pitting, or listing non-crop grazing land to prevent soil loss, retard runoff, and improve water penetration.—The operation must be performed as nearly as practicable on the contour.

B-5. Constructing wells for livestock water as a means of protecting vegetative cover.—The wells must be at locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management. Adequate storage facilities must be provided. Pumping equipment must be installed, except for artesian wells. No Federal cost-sharing will be allowed for wells constructed primarily for the use of headquarters, or for costs other than for constructing or deepening wells and for water storage facilities.

***B-6. Developing springs or seeps for livestock water as a means of protecting vegetative cover.**—The springs or seeps must be at locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management.

***B-7. Constructing or sealing dams, pits, or ponds as a means of protecting vegetative cover.**—The dams, pits, or ponds must be at locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management.

***B-8. Installing pipelines for livestock water as a means of protecting vegetative cover.**—The pipelines must deliver water to locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management.

B-9. Constructing permanent fences as a means of protecting vegetative cover.—This practice may be approved only where fencing will

contribute to better distribution of livestock and seasonal use of the forage. Fences between pasture and other land will not qualify for cost-sharing.

B-10. Improvement of a stand of forest trees for erosion control, watershed protection, or forestry purposes.—Federal cost-sharing may be allowed for any of the following measures: (1) Thinning, (2) pruning crop trees, (3) release of desirable tree seedlings by removing or killing competing and undesirable vegetation, (4) site preparation for natural reseedling, (5) fencing, and (6) erosion control measures on logging roads and trails. The area must be protected from fire. Where seedlings are present or needed, the area must be protected from grazing. Federal cost-sharing for site preparation will be limited to areas which have a sufficient number of desirable seed trees for natural reseedling, which will not restock unless brush, dense litter, and other material on the forest soil is broken up or removed so that soil is exposed, and on which the seed trees will be left until the area is restocked. Technical assistance shall be utilized, if available; otherwise the practice must be carried out in accordance with approved technical forestry standards. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the area from grazing, excluding boundary and road fences.

C. Practices Primarily for the Conservation and Disposal of Water

***C-1. Initial establishment of permanent sod waterways to dispose of excess water without causing erosion.**

C-2. Initial establishment of permanent vegetation as protection against erosion.—Federal cost-sharing will be limited to the establishment of permanent vegetation on gullies, dams, dikes, levees, ditch banks, farm roadsides, filter strips, and field borders. Consideration should be given to choice of plants favorable to wildlife.

***C-3. Initial establishment of orchards, vineyards, bush fruits, strawberries, or perennial vegetables on the contour to prevent erosion.**—All cultural operations must be performed as nearly as practicable on the contour.

***C-4. Constructing terraces to detain or control the flow of water and check soil erosion.**—Necessary protective outlets or waterways must be provided. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective terrace system. Costs of construction may include necessary leveling and filling to permit installation of an effective system.

***C-5. Constructing diversion terraces, ditches, or dikes to intercept runoff and divert excess water to protected outlets.**—Necessary protective outlets or waterways must be provided. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective terrace system. Costs of construction may include necessary leveling and filling to permit installation of an effective system.

***C-6. Constructing erosion control, detention, or sediment retention dams to prevent or heal gullying or to retard or reduce runoff of water.**

***C-7. Constructing channel lining, chutes, drop spillways, pipe drops, drop inlets, or similar structures for the protection of outlets and water channels that dispose of excess water.**

***C-8. Streambank or shore protection, channel clearance, enlargement or realignment, or construction of floodways, levees, or dikes, to prevent erosion or flood damage to farmland.**—This practice shall not be approved in cases where there is any likelihood that it will create an erosion or flood hazard to other adjacent land, or where its primary purpose is to bring new land into agricultural production.

***C-9. Constructing permanent open drainage systems to dispose of excess water.**—Federal cost-sharing may be authorized for clearing the necessary minimum width right-of-way. Federal cost-sharing may be authorized for the spreading of spoil banks where this is necessary for the effective utilization of the drainage system. No Federal cost-sharing will be allowed for ditches, the primary purpose of which is to bring additional land into agricultural production, or for cleaning a ditch, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator. In the installation of drainage systems, due consideration shall be given to the maintenance of wildlife habitat.

***C-10. Installing underground drainage systems to dispose of excess water.**—No Federal cost-sharing will be allowed for systems, the primary purpose of which is to bring additional land into agricultural production. In the installation of drainage systems, due consideration shall be given to the maintenance of wildlife habitat.

***C-11. Shaping or land grading to permit effective surface drainage.**—No Federal cost-sharing will be allowed for any shaping or grading which is performed through farming operations in connection with land preparation for planting or cultivation of crops.

***C-12. Reorganizing irrigation systems to conserve water and prevent erosion.**—The practice must be carried out in accordance with a reorganization plan approved by the responsible technician. No Federal cost-sharing will be allowed for cleaning a ditch, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator, or for portable pipe.

***C-13. Leveling land for more efficient use of irrigation water and to prevent erosion.**—No Federal cost-sharing will be allowed for floating or restoration of grade; however, the leveling operation may be completed over a period of more than one program year on a component basis where the size of cuts and fills is such that a heavy leveling operation will be needed following settlement of the original fills. No Federal cost-sharing will be allowed for leveling land if the primary purpose of the leveling is to bring new land into agricultural production. The leveling must be carried out in accordance with a plan approved by the responsible technician.

***C-14. Constructing or lining dams, pits, or ponds for irrigation water.**—The purpose of this practice is to conserve agricultural water or to provide water necessary for the conservation of soil resources. No Federal cost-sharing will be allowed for constructing or lining dams, pits, or ponds, the primary purpose of which is to bring additional land into agricultural production.

***C-15. Lining irrigation ditches to prevent erosion and loss of water by seepage.**—This practice is limited to ditches that are properly located and constructed as a part of an existing irrigation system.

***C-16. Constructing spreader ditches or dikes to divert and spread water to prevent erosion, to permit beneficial use of runoff, or to replenish ground water supply.**

**CONSERVATION PRACTICES WITH BENEFITS OF LIMITED DURATION—
generally requiring periodic repetition**

D. Practices Primarily for Establishing Temporary Protective Vegetative Cover

D-1. Establishment of vegetative cover for winter protection from erosion.—A good stand and good growth must be obtained in sufficient time to protect the area in the fall and winter of 1956 or 1957 and must be maintained on the land to a date specified in the county program. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The Federal cost-share for this practice shall not be in excess of 50 percent of the average cost of seed and fertilizer. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the cover crop.

D-2. Establishment of vegetative cover for summer protection from erosion.—A good stand and good growth must be obtained and left on the land or turned under. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The Federal cost-share for this practice shall not be in excess of 50 percent of the average cost of seed and fertilizer. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the cover crop.

D-3. Establishment of vegetative cover for green manure and for protection from erosion.—Federal cost-sharing will be limited to acreages of biennial or perennial legumes or perennial grasses, or mixtures of such legumes with adapted grasses, seeded during the 1957 program year. A good stand and good growth must be obtained. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The Federal cost-share for this practice shall not

be in excess of 50 percent of the average cost of seed and fertilizer. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the green manure or cover crop.

D-4. Establishment of vegetative cover to protect cropland throughout the 1957 crop year.—This practice is applicable only to cropland which is being shifted for the entire 1957 crop year from crop production to green manure or cover crops. Eligible seedings may consist of single seedings or successive seedings of grasses, legumes, small grains, or other crops which will provide adequate soil protection for the required period. Where annuals alone are used, at least two successive seedings must be made. Pasturing consistent with good management may be permitted. No crop may be harvested for seed in 1957. No annual crop seeded in the fall of 1957 may be harvested for seed in 1958 if such seeding is one of the two required seedings of such annual crops. No crop may be harvested for hay or silage in 1957 and no annual crop seeded in the fall of 1957 may be harvested for hay or silage in 1958 if such seeding is one of the two required seedings of such annual crops, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. One of the two required seedings of annuals may be a volunteer seeding which provides adequate soil protection, but no Federal cost-sharing may be allowed for the volunteer seeding.

E. Practices Primarily for the Temporary Protection of Soil From Wind and Water Erosion

E-1. Stubble mulching to improve soil permeability and to protect soil from wind and water erosion.—Tillage operations must be such as to leave sufficient crop or weed residue on the surface or mixed in the upper part of the soil to provide protection against wind and water erosion.

E-2. Initial establishment of contour farming operations on nonterraced land to protect soil from wind or water erosion.—All cultural operations must be performed as nearly as practicable on the contour. The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out, on acreage devoted to row crops. This practice is not applicable on any acreage for which Federal cost-sharing is approved under practice A-5. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective contour farming system.

E-3. Wind erosion control operations in serious wind erosion areas.—Applicable only in areas where the Administrator, ACPs, upon the recommendation of the State committee and the designated representatives of the Soil Conservation Service and the Forest Service at the State level, determines there is a serious wind erosion problem for 1957. Eligible operations shall be confined to those having the most enduring benefits practicably attainable under existing conditions.

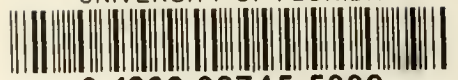
CONSERVATION PRACTICES WITH LIMITED AREA APPLICABILITY

F. Practices to Meet Special County Conservation Needs

F-1. Special conservation practices.—Consistent with the principles set forth in section 1, the county committee and designated representatives of the Soil Conservation Service and the Forest Service at the county level may recommend, and the State committee and designated representatives of the Soil Conservation Service and the Forest Service at the State level may approve, for use in a county, practices included in the National Bulletin for which there is need locally on a substantial number of farms but which are not selected for use in the State. Such approval shall be subject to review by the Administrator, ACPS, as to compliance with the provisions of the National Bulletin.

F-2. County conservation practices.—Consistent with the principles set forth in section 1, the Administrator, ACPS, may approve for use in a county, practices which are not included in the National Bulletin which are needed to meet particular conservation problems in the county. Such approval may be given only upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels, and upon their finding (1) that the conservation problem exists on a substantial number of farms in the county, (2) that the practices contained in the National Bulletin will not provide adequate treatment of the problem, (3) that the proposed practice will adequately meet the problem, (4) that the proposed practice would not be performed to the desired extent without Federal cost-sharing, (5) that the proposed practice will provide the most enduring solution to the problem practicably attainable under existing circumstances, (6) that the proposed practice is one on which the offering of financial assistance is fully justified as being in the public interest, and (7) that the proposed practice meets the standards and requirements of comparable practices in the National Bulletin. Costs will not be shared under this practice for elements of performance for which cost-sharing is specifically precluded by the wording of a similar practice or elsewhere in the National Bulletin.

F-3. Practices to meet new conservation problems.—Consistent with the principles set forth in section 1, the Administrator, ACPS, may approve for use in a county, practices for the treatment of critical conservation problems, primarily those which have arisen subsequent to the initiation of the program in the county. Such approval may be given only upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels, and upon their finding (1) that the conservation problem exists on a substantial number of farms in the county, (2) that the practices contained in the National Bulletin will not provide adequate treatment of the problem, (3) that the proposed practice will adequately meet the problem, (4) that the proposed practice would not be performed to the desired extent without Federal cost-sharing, (5) that the offering of Federal cost-sharing for the proposed practice is justified as within the scope of



national conservation objectives, (6) that adequate facilities, including technical services, will be available to permit the practice to be carried out effectively, and (7) that treatment of the problem cannot be safely delayed until a subsequent program.

Done at Washington, D. C., this 2d day of July 1956.

E. L. PETERSON,
Assistant Secretary of Agriculture.